

# Minutes of the Veneta City Council Meeting

## June 22, 2020

**Present:** Keith Weiss, Mayor; Thomas Cotter, Council President; Robbie McCoy, Councilor; Calvin Kenney, Councilor (via telephone); Pat Coy, Councilor

**Others:** Matt Michel, City Administrator; Shauna Hartz, Finance Director; Kyle Schauer, Public Works Director; Evan MacKenzie, Community Development Director; Stacy Cornelius, HR Generalist/Program Manager; Darci Henneman, City Recorder; Jana Weaver, Management Analyst; Terah Van Dusen, Fern Ridge Review

---

### 1. CALL TO ORDER

Mayor Weiss called the Veneta City Council to order at 6:29 p.m.

### 2. PUBLIC COMMENT

None

### 3. CONSENT AGENDA

**MOTION:** Councilor Thomas Cotter made a motion to approve the consent agenda as presented. Councilor Robbie McCoy seconded the motion.

**VOTE:** Councilor Calvin Kenney, aye; Councilor Thomas Cotter, aye; Mayor Keith Weiss, aye; Councilor Robbie McCoy, aye; Councilor Pat Coy, aye.

The consent agenda as approved includes Minutes for June 8, 2020, Accounts Payable - Unpaid Invoices Through June 16, 2020, Civic Calendar for July 2020, Public Works Activity Report for May 2020.

### 4. COUNCIL BUSINESS AND REPORTS

#### a. Business

None

#### b. Council/Committee Liaison Reports

Councilor Cotter said he will attend an LCOG meeting on Thursday.

Councilor Kenney said he attended the most recent Lane ACT and said MacKenzie made a very good demonstration for our bike path letter of support request, which we received.

Councilor Coy said Kiwanis started meeting at the Service Center and the Mexican train group has started meeting as well. They're a long ways from having meals in the cafeteria.

Councilor McCoy said the Chamber had an actual meeting last week and it was great. She said she would also like staff to put the Chamber on the next agenda. Chamber President, Jason Alansky would like to introduce Heather Blake as their new Visitor Coordinator.

### 5. STAFF REPORTS

#### a. Community Development Director.....Evan MacKenzie

(1) **ORDINANCE NO. 557** – AN ORDINANCE ADOPTING AMENDMENTS TO LAND DEVELOPMENT ORDINANCE NO. 493 AND LAND DIVISION ORDINANCE NO. 494 SPECIFICALLY ADOPTING TYPE I-V PROCEDURES FOR PROCESSING LAND USE APPLICATIONS for first reading by title only

MacKenzie said Ordinance No. 557 will put all of our procedures in one place and is fairly

ii. **RESOLUTION No. 1307** – A RESOLUTION ESTABLISHING A TEMPORARY OUTDOOR DINING PERMIT IN RESPONSE TO COVID-19 PANDEMIC

**MOTION:** Councilor Cotter made a motion to approve Resolution No. 1307, a resolution establishing a temporary outdoor dining permit in response to the COVID-19 pandemic including amending Section 2, number 3, setting the setback from 5 ft. to 6 ft. Councilor McCoy seconded the motion which passed with a vote of 5-0.

(3) IGA Update for Lane County Regional Housing Rehabilitation Program

i. Agenda Item Summary

MacKenzie said the City is partnered with St. Vincent de Paul to administer Community Development Block Grant (CDBG) funds. He said currently we have our own contract with Lane County Regional Housing Rehabilitation (LCRHR) but they would like to have one umbrella agreement with all entities. It doesn't change the terms of our agreement but just includes us with other cities involved with LCRHR.

Michel said Exhibit "A" to the Intergovernmental Agreement (IGA) is the IGA with Junction City and is used as an example. He said with the Council's approval, the City's IGA would become Exhibit "A" to the overall IGA with LCRHR which he will also sign.

In response to a question from Councilor Cotter, MacKenzie said the terms of the agreement shouldn't change. He said we don't administer CDGB funds and to have an agency provide that service to several smaller communities is a wonderful thing.

**MOTION:** Councilor Cotter made a motion to authorize the City Administrator to sign the new Intergovernmental Agreement in order for the City to continue participation in the Community Development Block Grant Consortium. Councilor Coy seconded the motion which passed with a vote of 5-0.

b. Finance Director.....Shauna Hartz

(1) Adoption of Updated Compensation Plan for Regular Positions

i. Agenda Item Summary

Hartz said staff has presented a compensation plan for approval that includes a 2.5% Cost of Living allowance (COLA) for employees. She said the COLA was included in the budget which the Budget Committee approved on May 21, 2020. She said the Consumer Price Index (CPI) used shows a 2.7% COLA. She said the reason for the adjustment is we recently learned that our health insurance deductibles were increasing so management met with staff and negotiated the 2.5% COLA and to increase the City's contribution to employees' Health Savings Accounts (HSA) to offset the slightly lower COLA.

ii. **RESOLUTION No. 1300** – A RESOLUTION UPDATING THE COMPENSATION PLAN FOR REGULAR POSITIONS OF THE CITY OF VENETA FOR FISCAL YEAR 2020-21 AND REPEALING RESOLUTION NO. 1273

**MOTION:** Councilor Cotter made a motion to adopt Resolution No. 1300, a Resolution updating the City's Compensation Plan for Regular Positions for Fiscal Year 2020-2021 and repeal Resolution No. 1273, as presented. Councilor McCoy seconded the motion which passed with a vote of 5-0.

(2) Adoption of Updated Compensation Plan for Temporary and Seasonal Positions

i. Agenda Item Summary

Hartz said effective July 1, 2020 the State of Oregon is raising minimum wage to \$12.00 per hour so this resolution is required to make that adjustment to all temporary and seasonal

positions. She said this was also included in the approved budget.

- ii. **RESOLUTION No. 1301** – A RESOLUTION UPDATING THE CITY'S COMPENSATION PLAN FOR TEMPORARY AND SEASONAL POSITIONS AND REPEALING RESOLUTION NO. 1278

**MOTION:** Councilor Cotter made a motion to adopt Resolution No. 1301, a Resolution updating the City's Compensation Plan for Temporary and Seasonal Positions for Fiscal Year 2020-21, and repeal Resolution No. 1278, as presented. Councilor Coy seconded the motion which passed with a vote of 5-0.

(3) State Revenue Eligibility for Fiscal Year 2020-2021

i. Agenda Item Summary

Hartz said the following two resolutions are required to continue to receive state shared revenue consisting of cigarette, liquor, marijuana, and fuel taxes, to verify that the City provides certain services, and to officially notify the state that we wish to receive the revenue. She said it's estimated that the City will receive a little over \$500,000. She said two Public Hearings are also required, one with the Budget Committee held May 21, 2020 and one before the City Council, held June 8, 2020. She said the final step is for the Council to adopt Resolution Nos. 1302 and 1303.

- ii. **RESOLUTION No. 1302** – A RESOLUTION CERTIFYING THAT THE CITY PROVIDES FOUR OR MORE MUNICIPAL SERVICES

**MOTION:** Councilor Cotter made a motion to adopt Resolution No. 1302, a Resolution certifying that the City provides four or more municipal services, as presented. Councilor McCoy seconded the motion which passed with a vote of 5-0.

- iii. **RESOLUTION No. 1303** – A RESOLUTION DECLARING THE CITY'S ELECTION TO RECEIVE STATE-SHARED REVENUES

**MOTION:** Councilor Cotter made a motion to adopt Resolution No. 1303, a Resolution declaring the City's election to receive state share revenues, as presented. Councilor Coy seconded the motion which passed with a vote of 5-0.

(4) Proposed Storm Water Drainage Fee Increase

i. Agenda Item Summary

Hartz said this is a proposed increase in storm water drainage fee. She said this fee has increased 2% for the past several years to keep up with inflation. It computes to a five cent per month increase for residential accounts and 15 cent per month increase for commercial accounts. She said Exhibit A to the resolution is a schedule of past increases and the proposed increase. Exhibit B shows the cumulative amount of the increases which are \$0.59 cents for residential accounts and \$1.79 for commercial accounts.

ii. Public Comment

None

- iii. **RESOLUTION No. 1304** – A RESOLUTION ESTABLISHING STORM WATER DRAINAGE FEES AND GOVERNANCE FOR USERS AND USE OF THE VENETA MUNICIPAL STORM WATER DRAINAGE SYSTEM AND REPEALING RESOLUTION NO. 1277

**MOTION: Councilor Cotter made a motion to adopt Resolution No. 1304, a Resolution establishing storm water drainage fees and governance for users and use of the Veneta municipal storm-water drainage system and repealing Resolution No. 1277, as presented. Councilor McCoy seconded the motion which passed with a vote of 5-0.**

(5) Adoption of Fiscal Year 2020-21 Budget

i. Agenda Item Summary

Hartz said this resolution adopts the FY2020-21 Budget which was presented to the Budget Committee on May 21, 2020 and approved with minor amendments. The Committee also imposed a tax levy, specified appropriations, and categorized the taxes, which they are required to do. The Public Hearing was noticed and conducted on June 8<sup>th</sup> and no public comments were received. Staff is requesting the Council adopt Resolution No. 1305 in order for the City to continue to receive taxes and spend funds.

ii. **RESOLUTION No. 1305**– A RESOLUTION ADOPTING THE OPERATING BUDGET FOR FISCAL YEAR 2020-21; SPECIFYING APPROPRIATIONS; IMPOSING TAXES; AND CATEGORIZING TAXES IMPOSED

**MOTION: Councilor Cotter made a motion to adopt Resolution No. 1305, a resolution adopting the operating budget for fiscal year 2020-2021; specifying appropriations; imposing taxes; and categorizing taxes imposed, as presented. Councilor Coy seconded the motion which passed with a vote of 5-0.**

(6) Deactivation of Unnecessary Funds Effective July 1, 2020

i. Agenda Item Summary

Hartz said Resolution No. 1305 is required to do a little housekeeping by deactivating funds that are no longer necessary. She said we did not include appropriations other than transfers. She prefers to deactivate funds by resolution because it's easier to track. She said these three capital projects have been completed and the FY20-21 budget includes transferring the remaining funds into their perspective operating funds. She said the grant fund was used for the Regional Housing and that has been completed. She said if needed at a later date, we can reactive any of the funds. She said it's a good practice to deactivate them if we don't need them.

ii. **RESOLUTION No. 1306** – A RESOLUTION AUTHORIZING THE DEACTIVATION OF THREE FUNDS ENTITLED "GRANT", "CAPITAL PROJECTS-POOL" AND "CAPITAL PROJECTS-W. BROADWAY" BEGINNING JULY 1, 2020

**MOTION: Councilor Cotter made a motion to adopt Resolution No. 1306, a Resolution authorizing the deactivation of unnecessary funds effective July 1, 2020, as presented. Councilor McCoy seconded the motion which passed with a vote of 5-0.**

c. Public Works Director.....Kyle Schauer

(1) Brooker Ln. Parking Lot Project Bid Award

Schauer said staff put the Brooker Ln. 16 space parking lot project out to bid which will be directly behind American Market. We received six bids ranging from a high of \$170,610.00 to the lowest bid of \$133,695.43 from Durban Excavating. Staff is recommending moving forward with awarding the contract to Durban Excavating. He is also asking for a 15% contingency for a total not to exceed \$155,000. Schauer said he was surprised that the lowest bid was lower than his estimated project cost.

In response to questions from Councilor Coy, Schauer said once the contract is awarded, he and the contractor will schedule the work to begin. He said it will be done by the end of October 2020. He said it's roughly 10 ft. from the American Market building and the two large maple trees will need to be removed.

In response to questions from Councilor Kenney, Schauer said the bid includes everything except the landscaping. He said the City Public Works Dept. will provide the landscaping and irrigation to keep the cost down. He said all of the landscaping will help with storm water treatment and the parking lot is designed to shed to the storm water drain on site.

In response to a question from Councilor Coy, Schauer said there is an ADA pedestrian pathway on the southwest corner adjacent to the ADA parking spot behind the store and landscaping and swales are to the north.

In response to a question from Councilor Cotter, Schauer said he thought the bids would be higher because the City Park Phase 2 Improvement bids were higher. He said Branch Engineering did a good job of simplifying the project.

In response to a question from Mayor Weiss, Schauer said the cost to remove the trees is included in the bid and the trees become the property of the contractor.

Schauer said this is an economic development project, funded with Urban Renewal Agency funds, and has been included in the Urban Renewal Plan.

In response to a question from Pat Coy, Schauer said Durbin Excavating completed the 3<sup>rd</sup> St. water line project and he was very happy with their work.

**MOTION: Councilor Cotter made a motion that Council authorize staff to enter into contract with Durbin Excavating LLC for the construction of the Brooker Lane Parking Lot project for an amount not to exceed \$155,000. Councilor Coy seconded the motion which passed with a vote of 5-0.**

(2) Veneta Community Pool Update and Recommendation for the 2020 Season

Schauer said when Oregon went into Phase 2 of the COVID-19 pandemic, a lot of moving target guidance came out. He said Cornelius spent a lot of time reviewing that information which is included in the Agenda Item Summary presented to the Council. He said she participated in many conference calls with Oregon Parks and Recreation Dept., the City of Eugene, and Willamalane Parks and Recreation District (WPRD), discussing how these things were going to be put together.

As a result, they identified many challenges, some of which include staffing, what kind of program could be offered, and the financial piece. He said pre-registration would be required, attendance would be limited, and how would we ensure it's not the same 15 people was not quite worked out. Locker rooms would be closed, family changing rooms would be used as restrooms, and the water fountain would be shut down. All equipment and the entire facility would need to be sanitized after every use. If lessons are held, six feet of social distancing is required with instructors on deck and parents in the water with students. Group lessons are not feasible but private lessons for older kids may be possible. Lap swim sessions would consist of one person per lane, two if from the same household, per hour. He said water safety is most important.

In response to a question from Councilor Kenney, Schauer said there's a challenge with deciding who gets in and who doesn't. Would it be on a first come first serve basis or a lottery? How would we address eight lap swimmers showing up but only have six lanes?

Schauer said we could probably have a 12 to 14 member swim team and alternate practices on an every other day schedule but spectators would not be allowed in. He said in the past, parents would typically drop off kids at the pool for recreation swim sessions but that would not be allowed. He said after going over all of these issues, he and Cornelius came to the conclusion that recreation swim time is not feasible or possible and if we open the pool at all, they only recommend family swim time with an adult in the pool to maintain social distancing. He said failure of any one of these things could make this all fall apart.

In response to a question from Councilor Cotter, Cornelius said swimmers would be required to maintain six feet of social distancing in the pool if you are from another household.

Councilor McCoy said she doesn't understand why the state is requiring six feet social distancing in the pool because the virus can't live in chlorine water.

Calvin Kenney said the state is requiring six feet social distancing even in the water because swimmers are not under water the entire time they're in the water.

Councilor Coy said last year we had a lot of trouble keeping staff; it's going to be even worse in this scenario.

Schauer said staff estimated this year's operating costs to be approximately \$99,000 and estimated revenues to be \$23,400 for the proposed season, the pool would lose approximately \$75,700 and have a cost recovery of only 24%. For reference, cost recovery last year was 40% and over the past five years has averaged approximately 49%. He said it's hard enough keeping kids in line at the pool during a regular season. He said the preregistration process needs to be worked out and how do we be fair to all that want to swim. He said staff is concerned people will start losing their patience and start pushing back. He said finally, there is a potential risk to employees, if that happens, we're done. All staff will be required to wear a mask and being outside in the heat could pose a health issue. Lastly, we could have another statewide shut down and guards would be out of work. He said the City of Junction City is not opening their pool, Willamalane is going to try to open one pool only. He said many of the problems we face are the moving targets and yesterday's interpretation may be different from tomorrows. He said it's staff's recommendation that we do not open. He said it's difficult but we don't see a realistic way to make it happen.

Councilor Coy said we could go through all the hoops and still have a shut down. He said it's just not realistic.

Schauer suggested spending some funds getting ready for next season on things like purchasing a new pool cover.

Councilor Kenney said staff did a good job of laying it all out for the Council. He said another thing to consider is if a staff member comes down with COVID-19, then there's a workers compensation claim and an Occupational Safety & Health Administration (OSHA) investigation. He said he thinks in a couple of weeks, we may be back to phase 1. He thanked staff again for all the work that went into this.

Schauer said we received an email requesting to please open the pool and staff is getting a lot of calls. He said staff needs direction and to notify eight potential employees they need to look for other jobs. He said we're also concerned about people going to other bodies of water that are not monitored.

After a brief discussion, it was the consensus of the Council to not open the pool this year.

Michel also thanked Schauer and Cornelius for a job well done.

d. City Administrator.....Matt Michel

(1) League of Oregon Cities Legislative Prioritization

Michel asked the Council to complete individual ballots and bring them to the next meeting. He said all of the information is provided and ballots will be tallied to submit the top four Council priorities to the League by the August 7<sup>th</sup> deadline.

(2) Elmira – Veneta Multi-Use Path Project Right of Way IGA

i. Agenda Item Summary

Michel said this is the environmental and design phase of this project which is a path from Veneta north to Elmira. The contract would be between the City, ODOT, and Lane County, with Lane County serving as our agent on the project Right-of-Way (ROW) elements. He said there could be use of eminent domain condemnation if there are issues in acquiring the ROW, which the path location hasn't been determined if it will be on the west side or east side of Territorial Rd. He said the City Legal Counsel identified a missing indemnity clause. He said that information was corrected and the contract was rechanneled to all parties for signature.

Councilor Cotter said this has been an ongoing project for 15 plus years and he's pleased that things are moving along.

**MOTION: Councilor Cotter made a motion to authorize the City Administrator to sign the Elmira-Veneta Multi Use Path Project Right of Way Services IGA with ODOT and Lane County. Councilor McCoy seconded the motion which passed with a vote of 5-0.**

(3) Discuss Summer Meeting Schedule

Michel said as things are stacking up for the summer, staff will shift priorities and focus on the first two meetings in July and August and the possibility of cancelling the second meetings in each month.

(4) Personal Services Agreement for Street Sweeping Services

Michel asked Schauer to present the contract.

Schauer said the current three year contract with Mid-State, for street sweeping services, expires the end of this year so Schauer packaged a scope of work and equipment requirements and sent it directly to a few street sweeping companies. He said he received two responses, one from a company that indicated they couldn't meet the scope of work and the other from Mid-State. He said after reviewing it, he recommends we continue with their services.

In response to a question from Councilor McCoy, Schauer said their contract is to do every street once a month, they come one day and sometimes twice a week. We don't know when they'll be here or what their cleaning schedule is. He said the time they spend here varies from summer to fall.

(5) Questions from Councilors

Michel introduced Jana Weaver as the new Management Analyst and asked her to tell the Council a little bit about herself.

Weaver said she is originally from Indiana and moved here seven plus years ago. She said

she came to the City from Willamalane Parks and Recreation District coordinating special events and rentals in the Recreation and Services Division and she enjoyed it very much. She said she looks forward to impacting the local community in a positive way. She said she's excited to be with the City and for the variety her position offers. She said everyone has made her feel very welcomed and she's honored to be here.

Michel said she's doing a great job and has started in on some economic development tasks. He's excited about having her perspective and her insights really benefit the City.

## **7. OTHER**

Michel said the City contributed \$20,000 towards the Emergency Small Business fund, a pool we joined with Lane County, Cottage Grove, Creswell, Florence, and Lowell. He said that pool totaled \$675,000. The County applied, on behalf of all of us, to Business Oregon, for a one-to-one match program that was called Round 1 and we received \$100,000. The City's percentage share of that was about 3% or a gain of \$3300 of match. For our \$3300 we received another \$3300. Round 2 came out which focused on economic development lending institutions and the institution that we partnered with, Community Lending Works, applied for the Round 2 grant and received \$125,000. The County lobbied Business Oregon to allow us to pool those two awards, which they approved, so we doubled our \$3300 to \$6600. Now we have \$6600 of our money that is state matched to a total of \$13,300. He said the question now is, what should be do with the unmatched \$13,300? The County has proposed, and he agrees, to try to leverage it for Round 3. He said there will be more rounds as the state tries to figure out how to spend 1.3 billion dollars in federal money that came to Oregon. He would like to tell the County we will continue to pledge \$20,000 and continue our match for Rounds 1 and 2 of grant funds. He said the state is insisting their application requirements be followed, which are not user friendly. He said sole proprietorships and businesses with five or less employees will apply to Community Lending Works and if they get through the first screening, applicants will be chosen by lottery and will be provided guidance going through the state application process to gain that funding. He said Community Lending Works will start accepting pre-registration applications for the lottery around the first week of July and hopefully by July 20<sup>th</sup> funds will be distributed to businesses. He said his intent to take the unmatched \$13,300 and see if we can't leverage that for more dollars coming in.

Michel said it's highly unlikely that the School District will move forward with the School Resource Deputy (SRD) at this time. He said the Student Investment Act funds linked to the corporate tax are not there at this time. He said the Council talked about assessing a public safety fee and if it's the District's intent to bring this project forward, a public safety fee may be a conversation we need to have.

Michel wanted to let the Council know that the City is renewing the Information Services (IS) Intergovernmental Agreement (IGA) with LCOG. He said the City of Veneta, City of Coburg, and Lane Regional Air Protection Agency (LRAPA) all contract with LCOG for IS services. He said the City's contract is \$15,000 per fiscal year which covers all computer costs, the network, server support, and setup of all computers and networks. He said they provide a lot of services for the cost. He said because of the contract amount, he is allowed to sign the contract without Council approval, however, he wanted to let the Council know his plan to do so.

Michel said Valley United Methodist Church (VUMC) transitional camping site permit expires in August. He said he spoke with the site monitor and asked that she work with VUMC to come before the Council in August if they want to apply for permit renewal.

Michel said the Jeans Rd. City-owned property is currently leased and that lease is expiring soon. He said he and Schauer went to the site and noticed there's more equipment there than they realized so they're going to have our building inspector do an onsite inspection to make sure the site is in full compliance prior to renewing the lease. He said the business owners are interested in purchasing that property which the City has declared as surplus.



In response to a question from Councilor Coy, Michel said he believes we purchased the property for about \$82,000 and the current Real Market Value is roughly \$180,000. He said we net about \$45,000 in rent every three years.

In response to a question from Councilor McCoy, Schauer said the building is currently being used to extract hemp oil. He said it seems to be effective and they have a lot going on.

Schauer said the raw material is brought in and put in smaller air tight containers and they use alcohol and pressurized air rather than butane to extract the oil. He said it's a safe process and there's more equipment on site than he realized.

In response to a question from Thomas Cotter, Schauer said the process doesn't use a lot of water and they recycle 80 to 90% of the alcohol so very little goes into the sewer.

Michel said their operation requires very little hands on and they have a lot invested in the site.

In response to a question from Councilor Coy, Michel said Greg Demers recently informed him that Sarto Village developers are not moving forward with the project, that realtor John Brown is evaluating whether or not to serve as the agent for the seller. However, the site has value as a ready to develop site.

Mayor Weiss said he will be performing a ribbon cutting ceremony for Grocery Outlet at 8:00 a.m. on Thursday to advertise their grand opening.

Mayor Weiss temporarily adjourned the Council at 8:14 p.m. for a brief recess.

Mayor Weiss reconvened the City Council at 8:20 p.m. and went directly into Executive Session.

#### **8. EXECUTIVE SESSION - ORS 192.660(2)(i) - City Administrator's Evaluation**

After making no decisions, Mayor Weiss closed the Executive Session and reconvened the regular Council meeting at 9:05 p.m.


**MOTION: Councilor Cotter made that Matt Michel has successfully completed his 6 month probationary period as the City Administrator and is now considered a regular employee subject to the terms of his employee agreement and employee handbook. Councilor McCoy seconded the motion which passed with a vote of 5-0.**

#### **9. ADJOURN**

Mayor Weiss adjourned the Veneta City Council at 9:07 p.m.

  
\_\_\_\_\_  
Keith Weiss, Mayor

ATTEST:

  
\_\_\_\_\_  
Darci Henneman, City Recorder  
(Minutes prepared by DHenneman)